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*Pamela Hollander*  
Pamela Hollander

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:  
**Allen J. BORCHARDT, et al.**

Serial No.: **10/783,117**

Confirmation No.: **1196**

Filed: **February 17, 2004**

For: **PHARMACEUTICAL COMPOSITIONS  
AND METHODS FOR THEIR USE**

Group Art Unit: **1625**

Examiner: **Not yet Assigned.**

**Mail Stop: Amendment**  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

**UNDER 37 C.F.R. § 1.97**

**37 CFR § 1.97(b)**

- ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

**37 CFR § 1.97(c)**

- ☐ The Information Disclosure Statement submitted herewith is being filed after three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); after three months of the date of entry of the national stage as set forth in § 1.491 in an international application; after the mailing of a first Office Action on the merits; or after the mailing of a first Office Action after the filing of a request for continued examination under § 1.114, but before the mailing date of (1) a Final Action under § 1.113; (2) a Notice of Allowance under § 1.311; or (3) an action that otherwise closes prosecution in the application. The Commissioner is hereby authorized to charge the fee as set forth in § 1.17(p) to Deposit Account Number 500329.

- ☐ Applicant requests that the Examiner consider the following copending applications:


| Application Serial No. | Filing Date | Attorney Docket No.: |
|------------------------|-------------|----------------------|
| 10/718,337             | 11-19-2003  | PC25603A             |
|                        |             |                      |
|                        |             |                      |

- ☐ Copies of these copending applications are enclosed.
- ☒ Applicant hereby requests consideration of the Information Disclosure Statement, PTO/SB/08a, submitted herewith. Copies of the cited references, except as noted below, are enclosed.
- ☐ This application is a continuation, divisional or continuation-in-part of Serial No. . Copies of the cited references, if not enclosed, are available in the file of the parent application or parents thereof.
- ☒ Copies of U.S. Patents and U.S. Patent Application Publications are not enclosed. (waiver of 37 CFR 1.98(a)(2)(iii) pursuant to 37 CFR 1.183).
- ☐ Applicant hereby requests consideration of the enclosed International Search Report, which was received in a related international patent application.

The Commissioner is hereby authorized to charge any fee deficiency, including any fee required under 37 C.F.R. § 1.17(p), or credit any overpayment, to Deposit Account Number 500329. A duplicate copy of this form is enclosed.

Respectfully submitted,

Date: March 8, 2005

  
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s/ Pamela Hollander  
Pamela Hollander

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Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith are the following documents:

- |  |                  |
|--|------------------|
| 1. Return Receipt Postcard                         | 1 postcard;      |
| 2. Transmittal of Information Disclosure Statement | 2 pages;         |
| 3. PTO Form 1449                                   | 1 page;          |
| 4. Copies of Cited References                      | 1 Reference; and |
| 5. Fee Due   | Deposit Account. |

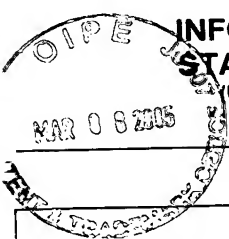
Respectfully submitted,

Date: March 8, 2005

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 substitute for form 1449/PTO



# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

## Complete if Known

|                        |                    |
|------------------------|--------------------|
| Application Number     | 10/783,117         |
| Filing Date            | February 17, 2004  |
| First Named Inventor   | Allen J. Borchardt |
| Art Unit               | 1625               |
| Examiner Name          | To be Assigned     |
| Attorney Docket Number | PC32031A           |

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | Cite<br>No. <sup>1</sup> | DOCUMENT<br>NUMBER<br><br>Number-Kind Code <sup>2</sup> | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant Figures Appear |
|---------------------|--------------------------|---|--------------------------------|--|--|
|                     |                          |   |                                |  |  |

## FOREIGN PATENT DOCUMENTS

| EXAMINER<br>INITIAL | Cite<br>No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> Number <sup>4</sup> Kind<br>Code <sup>5</sup> (if known) | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or Applicant<br>of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|---------------------|--------------------------|---|-----------------------------------|--|---|----------------|
|                     |                          |   |                                   |  |   |                |

## NON PATENT LITERATURE DOCUMENTS

| Examiner<br>Initials | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book,<br>magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country<br>where published. | T <sup>2</sup> |
|----------------------|--------------------------|---|----------------|
|                      |                          | MICHALETS, E., "Review of Therapeutics, Update: Clinically Significant Cytochrome P-450 Drug Interactions," <i>Pharmacotherapy</i> , 1998, p. 84-122, vol. 18, no. 1.   |                |

EXAMINER:

DATE CONSIDERED:

EXAMINER Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.